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REMARKS

Claims 1-7 remain pending in this application for which applicants seek reconsideration.

Amendment

Claims 1 and 2 have been edited to improve their form and readability, without narrowing the scope of the claims. No substantive change has been presented. No new matter has been introduced.

Art Rejection

Claims 1-7 were rejected under 35 U.S.C. § 102(b) as anticipated by Ide (USP 6,408,618). First, since the applied reference is not "older" than 1 year, anticipation under § 102(b) is not correct. Rather, applicants have treated this rejection as being based under § 102(a). Second, applicants traverse this rejection because Ide does not disclose or teach that the catalyst associated with the suspended cylinder should have a higher purifying capability, in contrast to the examiner's assertion.

Independent claim 1 calls for a first exhaust purifying catalyst disposed in a first exhaust passage that is connected to at least one suspended cylinder and a second exhaust purifying catalyst disposed in a second exhaust passage that is connected to the operating cylinders. As claimed, the first exhaust purifying catalyst has a higher capability to purify exhaust gas than the second exhaust purifying catalyst.

The examiner asserts that Ide has its first exhaust purifying catalyst disposed in the first passage having a higher capability to purify exhaust gas than its second exhaust purifying catalyst, relying on the passages set forth in column 8, lines 45-67, column 9, lines 1-67, and column 10, lines 1-28. NONE OF THESE PASSAGES disclose anything having to do with the relative purifying capability of its two exhaust purifying catalyst 11L, 11R. As Ide is completely silent regarding the relative capabilities of the two exhaust purifying catalyst, applicants submit that Ide could not have anticipated claim 1 within the meaning of § 102. Further, Ide would not have suggested or taught any motivation for increasing the purifying capability of the exhaust

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purifying catalyst associated with the non-operating cylinder(s). Accordingly, Ide would not have rendered claim 1 obvious within the meaning of § 103.

Conclusion

Applicants submit that claims 1-7 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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